

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

Case 1:14-cv-04246-WHP

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**PLAINTIFFS**

ZOLTAN HIRSCH

**DEFENDANTS**

**KTIMA REST., INC., a New York corporation, d/b/a LA PARISIENNE DINER  
and 200 WEST 58TH STREET LLC, a New York limited liability company**

**ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**

B. BRADLEY WEITZ, ESQ., THE WEITZ LAW FIRM, P.A.  
18305 Biscayne Blvd., Suite 214  
Aventura, Florida 33160 Tel. - (305) 949-7777

**ATTORNEYS (IF KNOWN)**

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)**  
**(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

42 U.S.C. §12181, et. seq.; Declaratory and Injunctive Relief pursuant to Title III of the ADA & New York State/City Human Rights Law.

New York State City Human Rights Laws

Has this or a similar case been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

**IS THIS AN INTERNATIONAL ARBITRATION CASE?** No  Yes

#### **NATURE OF SUIT**

TORTS

## **ACTIONS UNDER STATUTES**

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 610 AGRICULTURE	[ ] 422 APPEAL	[ ] 400 STATE REAPPORTIONMENT
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT LIABILITY	[ ] 365 PERSONAL INJURY	[ ] 620 OTHER FOOD & DRUG	[ ] 423 WITHDRAWAL	[ ] 410 ANTITRUST
[ ] 130 MILLER ACT					[ ] 430 BANKS & BANKING
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	[ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[ ] 625 DRUG RELATED SEIZURE OF PROPERTY		[ ] 450 COMMERCE
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY		21 USC 881 LIQUOR LAWS		[ ] 460 DEPORTATION
[ ] 151 MEDICARE ACT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 630 RR & TRUCK	[ ] 820 COPYRIGHTS	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[ ] 152 RECOVERY OF DEFECTUALTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY	[ ] 370 OTHER FRAUD	[ ] 640 AIRLINE REGS	[ ] 830 PATENT	[ ] 480 CONSUMER CREDIT
	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 650 OCCUPATIONAL SAFETY/HEALTH	[ ] 840 TRADEMARK	[ ] 490 CABLE/SATELLITE TV
	[ ] 355 MOTOR VEHICLE	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	[ ] 660 OTHER		[ ] 810 SELECTIVE SERVICE
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 360 OTHER PERSONAL INJURY	[ ] 385 PROPERTY DAMAGE PRODUCT LIABILITY	<b>LABOR</b>		[ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE
[ ] 160 STOCKHOLDERS SUITS			[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 861 HIA (1985f)	[ ] 875 CUSTOMER CHALLENGE
[ ] 190 OTHER CONTRACT		<b>PRISONER PETITIONS</b>	[ ] 720 LABOR/MGMT RELATIONS	[ ] 862 BLACK LUNG (923)	[ ] 884 SSID TITLE XVI
[ ] 195 CONTRACT PRODUCT LIABILITY			[ ] 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	[ ] 863 DIWC/DIWV (405(g))	[ ] 890 OTHER STATUTORY ACTIONS
[ ] 196 FRANCHISE	<b>ACTIONS UNDER STATUTES</b>	[ ] 510 MOTIONS TO VACATE SENTENCE		[ ] 865 RSI (405(g))	[ ] 891 AGRICULTURAL ACTS
	<b>CIVIL RIGHTS</b>	20 USC 2255	[ ] 740 RAILWAY LABOR ACT	<b>FEDERAL TAX SUITS</b>	[ ] 892 ECONOMIC STABILIZATION ACT
		[ ] 530 HABEAS CORPUS	[ ] 790 OTHER LABOR	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 893 ENVIRONMENTAL MATTERS
		[ ] 535 DEATH PENALTY	<b>LITIGATION</b>	[ ] 871 IRS-THIRD PARTY	[ ] 894 ENERGY ALLOCATION ACT
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC SECURITY ACT	26 USC 7609	[ ] 895 FREEDOM OF INFORMATION ACT
<b>REAL PROPERTY</b>					[ ] 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
[ ] 210 LAND CONDEMNATION	[ ] 444 ACCOMMODATIONS WELFARE	<b>PRISONER CIVIL RIGHTS</b>	<b>IMMIGRATION</b>		[ ] 950 CONSTITUTIONALITY OF STATE STATUTES
[ ] 220 FORECLOSURE	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION APPLICATION		
[ ] 230 RENT LEASE & EJECTION	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 555 PRISON CONDITION	[ ] 463 HABEAS CORPUS- ALIEN DETAINEE		
[ ] 240 TORTS TO LAND					
[ ] 245 TORT PRODUCT LIABILITY	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)		[ ] 465 OTHER IMMIGRATION ACTIONS		
[ ] 290 ALL OTHER REAL PROPERTY					

**Check if demanded in complaint:**

**CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23**

**DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:**

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ POCKET NUMBER \_\_\_\_\_

*Check YES only if demanded in complaint*

**NOTE:** Please submit at the time of filing an explanation of why cases are deemed related

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY)	<input type="checkbox"/> 4 DIVERSITY	IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)
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## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 11 <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 11 <input checked="" type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	DEF <input type="checkbox"/> 13 <input checked="" type="checkbox"/> 13	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15 <input checked="" type="checkbox"/> 15	DEF <input type="checkbox"/> 15 <input checked="" type="checkbox"/> 15
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2		INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 14		FOREIGN NATION	<input type="checkbox"/> 16 <input checked="" type="checkbox"/> 16	

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

ZOLTAN HIRSCH  
 1358 62nd Street  
 Brooklyn, New York 11219  
 Kings County

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

KTIMA REST., INC., 910 7TH AVENUE, NEW YORK, NY 10019, NEW YORK COUNTY

200 WEST 58TH STREET LLC,C/O SOLIL MANAGEMENT, 640 FIFTH AVENUE, NEW YORK, NY 10019, NEW YORK COUNTY

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: **THIS ACTION SHOULD BE ASSIGNED TO:**  WHITE PLAINS  MANHATTAN  
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 8/6/14 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

 NO YES (DATE ADMITTED Mo. 05 Yr. 2010)  
 Attorney Bar Code # BW 9365

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)